IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v. : CR. NO. 10-187-01

CARL LEWIS :

MEMORANDUM

On April 11, 2011, the Court received a Motion by the Defendant for Bail Pending Appeal. The Motion was Denied. This brief Memorandum will set forth the reasons.

The Defendant pled guilty on December 13, 2010. During the plea, the Defendant acknowledged his responsibility for the crimes, and after a thorough colloquy, he admitted the truth of the factual summary that the Government presented in support of the guilty plea. There was no ambiguity or hesitation in the Defendant's responses to the Court's questions during the colloquy. At the time of sentencing, on April 4, 2011, there was further no intent of any kind to withdraw the plea of guilty that was made. Defendant has an extensive criminal record and the crimes are serious, all of which is shown in the sentencing transcript and in the pre-sentence report. Nonetheless, the Defendant was given until April 11, 2011 to surrender.

Notwithstanding the facts, the Defendant has filed a Motion for Bail Pending Appeal asserting that he should be allowed to withdraw his guilty plea and that he is "actually (factually and legally) innocent". These allegations are completely at odds with the record in this case and there is no merit to the Motion for Bail Pending Appeal.

4/14/11 /s/ Michael M. Baylson

Date Michael M. Baylson, USDJ

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